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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

DOE 1, DOE 2, and KASADORE
 RAMKISSOON, on Behalf of
 Themselves and all other Persons
 Similarly Situated,

Plaintiffs,

v.

AOL LLC,

Defendant.

CASE NO. C 06-5866 SBA

Honorable Sandra Brown Armstrong

**STIPULATION AND ORDER
 MODIFYING TIME FOR FILING
 RESPONSES AND HEARING DATE
 FOR DEFENDANT'S MOTION FOR
 JUDGMENT ON THE PLEADINGS**

RECITALS

WHEREAS, on June 29, 2009, Defendant AOL filed a Notice of Motion and 12(c) Motion for Judgment on the Pleadings (the "Motion For Judgment On The Pleadings");

WHEREAS, Plaintiffs assert that several of the issues raised in Defendant's Motion For Judgment On The Pleadings are currently before the Court in connection with the Court's July 6, 2009 Order Re Supplemental Briefing on Defendant's Motion to Implement Ninth Circuit's Mandate and the Parties' related briefing;

1 WHEREAS, Plaintiffs anticipate that the Court's ruling on Defendant's Motion to
2 Implement Ninth Circuit's Mandate (the "Ruling") may impact their response to Defendant's
3 Motion For Judgment On The Pleadings and, as such, would like the opportunity to assess the
4 effect of the Court's Ruling on the Motion For Judgment On The Pleadings;

5 WHEREAS, as is specified in the accompanying Declaration of Manuel J. Dominguez,
6 Plaintiffs proposed to Defendant that the Parties modify the time for opposition and reply briefs
7 on the Motion For Judgment On The Pleadings as well as the hearing date of that Motion;

8 WHEREAS, the Parties have met and conferred regarding Plaintiffs' proposal and
9 Defendant consents to that proposal.

10 WHEREAS, no time modifications in connection with the Motion For Judgment On The
11 Pleadings have been previously requested, and the stipulated requested modifications would not
12 otherwise alter the schedule for the case.

13 WHEREAS, pursuant to Local Rules 6-1 and 6-2, the undersigned Parties file this
14 Stipulation and [Proposed] Order Modifying Time For Filing Responses And Hearing Date For
15 Defendant's Motion for Judgment On The Pleadings.

16
17 **STIPULATION**

18 IT IS THEREFORE STIPULATED by and between the Parties, acting through their
19 counsel of record, that, subject to the Court's approval, the Parties' opposition and reply briefs to
20 the Motion For Judgment On The Pleadings are due and the hearing date on the Motion For
21 Judgment On The Pleadings are as follows:

22 September 29, 2009 – Modified deadline for Plaintiffs to file their opposition papers.

23 October 13, 2009 – Modified deadline for Defendants to file their reply papers.

24 December 8, 2009, 1:00 PM – Modified hearing date.

25
26 The parties so stipulate and request.

27 Dated: August 19, 2009

28 Respectfully submitted,

BERMAN DeVALERIO

By: /s/ Manuel J. Dominguez

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E-Filing Attestation

I, Manuel J. Dominguez, am the ECF User whose login and password are being used to file this document. In compliance with General order 45 X.B., I hereby attest that the signatory identified below has concurred in this filing.

/s/Manuel J. Dominguez
Manuel J. Dominguez

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By /s/ Joseph Serino, Jr.
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PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: _8/25/09



HON. SAUNDRA BROWN ARMSTRONG
United States District Judge